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Salient Points of the Extradition Treaty signed between India and the U.S.

Exhibit B

June 25, 1997
Washington, DC



The treaty was signed by Shri Saleem Shervani, Minister of State, External Affairs for India and Mr. Strobe Talbott, Deputy Secretary of State for the United States as Hon. Naresh Chandra, Ambassador of India to the United States looks on. Minister Shervani was assisted by Mr. Taranjit Sandhu, First Secretary, Embassy of India.

Extraditable offenses:

The offense is extraditable if punishable under the laws in both contracting parties by imprisonments for more than one year or by a more severe penalty. This applies:

- a) whether or not the laws in the contracting state place the offense within the same category of offenses or describe the offense by the same terminology;
- b) whether or not the offense is one for which United States federal law requires the showing of such matters as interstate transportation, or use of the mails or of other facilities affecting interstate or foreign commerce, such matters being merely for the purpose of establishing jurisdiction in a United States federal court; or
- c) whether or not it relates to taxation or revenue or is one of a purely fiscal character.

Extradition shall be granted for an extraditable offense regardless of where the act or acts constituting the offense were committed.

While extradition shall not be granted for a political offense, the following shall not be considered to be political offenses:

Murder or other willful crime against a Head of State or Head of Government or a member of their family, aircraft hijacking offenses, aviation sabotage, crimes against internationally protected persons including diplomats, hostage taking, offenses related to illegal drugs, or any other offenses for which both contracting states have the obligation to extradite the person pursuant to a multilateral international agreement.

Procedures:

All requests for extradition shall be submitted through the diplomatic channel and be supported by required documents, statements, information describing the facts of the offense, statements of the relevant provisions of the law regarding the offense as well as the punishment, a copy of the warrant or the order of arrest, and such information as would justify the committal for trial of the person in the requested state. For those already convicted of an offense, extradition request shall be supported also by a copy of the judgement of conviction or a statement by a judicial authority that the person has been convicted.

In case of urgency, a contracting state may request the provisional arrest the person sought pending proposal of the request of extradition.